

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature -- Second Regular Session

MINUTES RECEIVED
CHIEF CLERK'S OFFICE

2-2-16

COMMITTEE ON ELECTION

Report of Regular Meeting
Monday, February 1, 2016
House Hearing Room 4 -- 10:00 a.m.

Convened 10:07 a.m.

Recessed

Reconvened

Adjourned 12:29 p.m.

Members Present

Mrs. Carter
Mr. Clark
Mr. Larkin
Mr. Weninger
Mr. Mesnard, Vice-Chairman
Ms. Ugenti-Rita, Chairman

Members Absent

Agenda

Original Agenda -- Attachment 1

Request to Speak

Report -- Attachment 2

Committee Action

<u>Bill</u>	<u>Action</u>	<u>Vote</u>	<u>Attachments</u> (Summaries, Amendments, Roll Call, Attendance)
HB2050	DP	6-0-0-0	9, 10
HB2083	DP	6-0-0-0	7, 8
HB2456	DP	5-1-0-0	11, 12, 13, 14, 15
HB2477	HELD		
HCR2009	DP	4-2-0-0	5, 6
HCR2020	DP	4-2-0-0	3, 4
Committee Attendance			16


Marshall Pimentel, Chairman Assistant
2/2/16

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

* corrected

convened: 10:07 am
adjourned: 12:29 pm

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

REGULAR MEETING AGENDA

COMMITTEE ON ELECTIONS

DATE Monday, February 1, 2016

ROOM HHR 4

TIME 10:00 A.M. (NOTE: time change)

Members:

Mrs. Carter
Mr. Clark
Mr. Larkin

Mr. Montenegro
Mr. Weninger

Mr. Mesnard, Vice-Chairman
Ms. Ugenti-Rita, Chairman

Bills	Short Title	Strike Everything Title
HB2050	<u>DP</u> federal office; online signature collection (Stevens)	
	<u>6-0-0-0</u> ELECT, RULES	
HB2083	<u>DP</u> multiple committees; exploratory committees; repeal	
	<u>6-0-0-0</u> (Stevens) ELECT, RULES	
HB2456	* <u>DP</u> national popular vote; interstate agreement (Mesnard, Allen J, Andrade, et al)	
	<u>5-1-0-0</u> ELECT, RULES	
HB2477	<u>held</u> precinct committeemen; term of office (Ugenti-Rita)	
	ELECT, RULES	
HCR2009	<u>DP</u> independent redistricting commission; elected membership	
	<u>4-2-0-0</u> (Petersen, Townsend, Farnsworth D) ELECT, RULES	
HCR2020	<u>DP</u> lieutenant governor; joint ticket (Mesnard)	
	<u>4-2-0-0</u> ELECT, RULES	

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

MJP
1/27/16

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032, TDD (602) 926-3241.

Information Registered on the Request to Speak System

House Elections (2/1/2016)

HB2050, federal office; online signature collection

Support:

Eric Spencer, AZ SECRETARY OF STATE

Oppose:

Barbara Matteson, representing self; Julie Smith, representing self; Sam Wercinski, Arizona Advocacy Network; Sam Wercinski, representing self

All Comments:

Barbara Matteson, Self: bad bill; Sam Wercinski, Arizona Advocacy Network: Will support if amended to allow up to 50% of signatures be collected online. Allowing 100% marginalizes voters who don't use the internet and prefer personal interaction with potential candidates.; Sam Wercinski, Self: Good idea but goes too far by allowing 100% of signatures to be collected online. Amend the bill to allow for 50%.

HB2083, multiple committees; exploratory committees; repeal

Support:

Julie Smith, representing self; Eric Spencer, AZ SECRETARY OF STATE

Neutral:

Tom Belshe, League Of Arizona Cities And Towns; Thomas Collins, Arizona Citizens Clean Elections Commission

Oppose:

Erin Roper, representing self

All Comments:

Tom Belshe, League Of Arizona Cities And Towns: No concern with elimination of exploratory committees. Concern with allowing multiple open committees.; Thomas Collins, Arizona Citizens Clean Elections Commission: We are assessing the bill's impact if any and look forward to speaking with the sponsor.; Erin Roper, Self: The City of Kingman believes allowing candidates to have multiple committees would complicate local elections.

HB2477, precinct committeemen; term of office

Support:

Richard Rutkowski, representing self; Jim O'Connor, representing self

Oppose:

Phil Mason, Founder, Pachyderm Coalition, representing self; Julie Smith, representing self

All Comments:

Phil Mason, Self: This changes the first duty for an elected PC that now occurs at the Organization Meeting. The problem is that involved & experienced PCs lose their status between the Primary & General. Could negatively impact GOTV efforts.; Richard Rutkowski, Self: I support HB2477. Newly elected PCs in Maricopa County (and other counties in AZ) are considered elected once the Board of Supervisors canvasses the Aug. election results (in early Sept.). PCs who weren't re-elected PCs shouldn't hang on for months

HB2456, national popular vote; interstate agreement**Testified in support:**

Aaron Borders, representing self; Clint Van Wuffen, representing self; Kim Nunez, representing self; Patrick Rosenstiel, representing self; Ray Haynes, representing self; Karl Obergh, representing self

Testified as opposed:

James Pinkerman, representing self; Phil Mason, Founder, Pachyderm Coalition, representing self; Douglas Ardt, representing self; Jim O'Connor, representing self; Barbara Blewster, representing self; Robert Hathorne, representing self; Walter Franklin, representing self; Clair Van Steenwyk, representing self; Ardith Hildebrant, representing self; Peter Mains, representing self

Support:

Robyn Prud'homme-Bauer, representing self; Gini McGirr, League of Women Voters of Arizona, Legislative Chair, representing self; Alice Stambaugh, representing self; Gibson McKay, NATIONAL POPULAR VOTE; Sam Wercinski, representing self; Sam Wercinski, Arizona Advocacy Network; Rebekah Friend, Arizona AFL-CIO

Neutral:

Susan Hicks, representing self

Oppose:

Jane Schutte, representing self; Jim Dutton, representing self; Michael Sorum, representing self; Jose Borrajero, representing self; Lynne Weaver, representing self; John Brakeman, Spur PC Captain (Voice of the People), representing self; Jere Fredenburgh, representing self; martha hayes, representing self; Terry Hill, representing self; Buffalo Rick Galeener, representing self; Joyce Hill, representing self; William C Holmes, representing self; Tom Holding, representing self; Richard Hofelich, representing self; Lois Moore, representing self; L G Mace, representing self; Leslie Briggs, representing self; Dave Kopp, Manager, AZ CITIZENS DEFENSE LEAGUE INC; Michael Gibbs, representing self; elisa dewsgroseilliers, representing self; joy staveley, Chairman, Coconino County Republican Committee, representing self; Aaron Ellsworth, representing self; Patrick OMalley, representing self; Eric Orrill, representing self; Elisha Dorfsmith, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self; J.R. Morris, representing self; Joseph Pikosz, representing self; Julie Smith, representing self; Jim Kresse, representing self; Itasca Small, representing self; Lyle Tuttle, representing self; Mickie Niland, representing self; William Sandry, representing self; Sandi Bartlett, representing self; Wesley Harris, representing self; F Thomas Fiedler, representing self; Danny Ray, representing self; Anita Christy, representing self; Thayer Verschoor, representing self; Nancy Cottle, representing self; LINDA BRICKMAN, ACT FOR AMERICA CHPT LDR FOR

AZ; LEGISLATIVE LIAISON VP FOR THE ATPPA, representing self; Barbara Yates, representing self; Matt Nelson, representing self

All Comments:

Robyn Prud'homme-Bauer, Self: It is time to really look at direct election of the President - NPV gets us there.; Jim Dutton, Self: This bill should be killed immediately. It promotes an unconstitutional method of voting.; Michael Sorum, Self: This bill is unconstitutional.; Jose Borrajero, Self: This is a scheme to circumvent our constitution. We would no longer be a federal republic, but a direct democracy. It would increase exponentially the influence of large population centers. It would hurt AZ, especially rural AZ; John Brakeman, Spur PC Captain (Voice of the People), Self: OPPOSE HB2456 as it subverts the structural and foundational principles of our form of government. As precinct captain representing 2,375 voters, we strongly oppose this Bill and SB1218 as they would fundamentally damage the function of our Republic.; Jere Fredenburgh, Self: With a "national popular vote," Arizona's 8 electors would have gone to Al Gore in 2000, 10 electors would have gone to Barack Obama in 2008 and 11 electors to Barack Obama in 2012. We would have NO voice for AZ voters. VOTE NO. thank you.; Terry Hill, Self: To approve this would strip away any influence that AZ has in the Nat'l election.; Buffalo Rick Galeener, Self: We DO NOT live in a democracy. We have a representative Republic, to avoid "mob rule" of democracy! Let's keep it that way!; William C Holmes, Self: Excuse my terminology but this would be just plain stupid for both parties.; Lois Moore, Self: I oppose this legislation, which would basically eliminate the Electoral College. It is detrimental to our country and it is a scheme that we will not tolerate.; L G Mace, Self: Bad idea.; Dave Kopp, AZ CITIZENS DEFENSE LEAGUE INC: The electoral college was created to prevent large population centers from disenfranchising rural populations during national elections. This sort of agreement will give control of those elections to the country's largest cities. Ask yourself why?; Michael Gibbs, Self: The state of AZ must not give away our electoral votes! NPV will not make our votes count any more than they do today. John F Kennedy said, "Do not take a fence down until you know the reason it was put up." See: <http://youtu.be/V6s7JB6-GoU>; elisa dewsgroseilliers, Self: I urge you to vote NO on this Bill because it will take away the effect of the Electoral College which was specifically & deliberately designed by our Founding Fathers. This Bill will guarantee that my vote won't count.; Gini McGirr, Self: I ask that you vote Yes on HB2456. I support this idea of electing the president.; Aaron Ellsworth, Self: Don't change the Electoral College!; Patrick OMalley, Self: The current system is not broken. Don't fix it. This is an end run around the Constitution and another attempt to reduce State's Rights.; Alice Stambaugh, Self: For the NATIONAL office of Presidency, It is both reasonable and ethical to award the Presidency to the candidate receiving the most NATIONAL votes. The current system simply supports special-interest government, which is destroying our democracy.; James Pinkerman, Self: This bill - along with the 17th Amend, robbing states of direct representation, would further rob U.S. of being just that: the United States, and making it a giant democracy the Founders warned against, instead of a representative republic .; Eric Orrill, Self: The Electoral College is working as the founders intended. Leave it alone.; Elisha Dorfsmith, Self: If this is approved nationally, states with lower populations will lose their voice. Please vote NO.; Phil Mason, Self: This bill is the most dangerous bill in this legislative session. Article III would open the possibility of taking away the vote of the majority of Arizonans. Violates the original intent of the Electoral College system.; Christine Maceri Genge, Self: Would change our nation from a republic to a pure democracy effectively allowing lg. populated states to choose our presidents, leaving small states voiceless.; Dennis Genge, Self: This would basically give most populous states the advantage and nullify smaller states citizens votes. It would turn us into a pure democracy rather than a republic as our founders intended.; J.R. Morris, Self: Vote no on this please! We have an Electoral College for a reason. <https://www.youtube.com/watch?v=V6s7JB6-GoU>; Joseph Pikosz, Self: This is illegal. You cannot change the US constitution.; Douglas Ardt, Self: NPV will broaden the path to substantial national vote fraud, recount disputes, the litigation that will follow and substantial litigation costs in lower and appeals courts for precincts to statewide disputes. Arizona will have to defend it.; Susan Hicks, Self: Let's get this right --- research and study in depth before

making changes.; Gibson McKay, NATIONAL POPULAR VOTE: support the National Popular Vote; Jim Kresse, Self: If you want the President to be able to be elected by focusing on the large cities on the east and west coasts, you want to support the National Popular Vote.; Itasca Small, Self: Our American Republic protects the Minority from the Tyranny of the Majority by the Rule of Law. NPV is democracy, which is the logical fallacy of Appeal to the People. The Electoral College protects the small States from the Tyranny of the Majority.; Lyle Tuttle, Self: Terrible idea - look closer!; Mickie Niland, Self: I strongly appose this bill. It sounds nice and fair on the surface, but I am concerned that the candidates would focus only on the largely populated cities. Lets trust the founding fathers and keep this a Republic!; William Sandry, Self: I oppose HB2456. It disenfranchises Arizonans from selecting our own delegates and subjects us to the votes cast by illegal aliens. Last year ½ of the driver's licenses issued in Calif. were to illegal aliens, they are automatically registered voter; Wesley Harris, Self: If this would eliminate winner take all I would be for it but it does not...it compels our delegates to vote for the majority vote nationally with no commitment to the voters of Arizona.; F Thomas Fiedler, Self: NPV is not only destructive of our republican form of government. It also distracts from the issue of voter fraud - a more immediate threat to our Republic.; Anita Christy, Self: Absolutely, emphatically NO! We do not live in a democracy.; Patrick Rosenstiel, Self: HB2456 is consistent with Article II; section I of the Constitution and makes every Arizona relevant in every presidential election.; Ardith Hildebrandt, Self: This bill should not see the light of day!; Thayer Verschoor, Self: It gives up state sovereignty to Large cities.; Nancy Cottle, Self: Not what our Founding Fathers intended for our republic; LINDA BRICKMAN, Self: I respectfully request the full Committee to vote NO on HB2456. Thank you for your NO vote. Linda Brickman, Member at Large, MC GOP; Matt Nelson, Self: i am very much opposed to this vote compact. The founders set up the electoral college so that all would be represented in elections. We should respect this.; Peter Mains, Self: Our Constitution was designed to balance national, state and local interests. If we remove states from the election of presidents, we replace our 3-legged stool with a game of tug-of-war. The American people would lose this high stakes game.

HCR2009, independent redistricting commission; elected membership

Support:

Jose Borrajero, representing self; Tom Holding, representing self; Lyle Tuttle, representing self; martha hayes, representing self; Terry Hill, representing self; Buffalo Rick Galeener, representing self; Joyce Hill, representing self; Richard Hofelich, representing self; Phil Mason, Founder, Pachyderm Coalition, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self; Julie Smith, representing self; Patrick OMalley, representing self; Lynne Weaver, representing self

Oppose:

Robyn Prud'homme-Bauer, representing self; John Wurm, representing self; Alice Stambaugh, representing self; Gini McGirr, League of Women Voters of Arizona, Legislative Chair, representing self; Arthur Rogers, representing self; Rivko Knox, representing self; Sam Wercinski, Arizona Advocacy Network, Self

All Comments:

Robyn Prud'homme-Bauer, Self: If this bill advances -- it is no longer an independent commission! This goes against the wishes of the voters; John Wurm, Self: The Independent Redistricting Commission is not broken.; Jose Borrajero, Self: Currently there is nothing independent about the Independent Redistricting Commission. This bill would transfer their dependence from politicians to the voting citizens.; Alice Stambaugh, Self: All we need is another partisan election--exactly what the IRC was formed to prevent. We need bipartisan and independent commissioners. Increase the numbers of commissioners, but don't do this!; Buffalo Rick Galeener, Self: The last

redo was a joke!; Gini McGirr, Self: Please vote NO on HCR2009. This is not a good bill. Leave the IRC along as it is doing very good just as it is.; Arthur Rogers, Self: Please vote NO on this proposed legislation. The redistricting commission currently is bi-partisan and that is positive for the citizens of the state.; Rivko Knox, Self: This bill will destroy the independence of the Commission, by making it into just one more elective office.

HCR2020, lieutenant governor; joint ticket

Support:

Sam Wercinski, representing self

Neutral:

Julie Smith, representing self

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

HER 2020

Committee on Elections Bill Number HB 2456
Date 2/1/16 ☐ Support ☐ Oppose ☐ Neutral
Name Clair Van Steenberg Need to Speak? ☒ Yes ☐ No
Representing Asst. Comm. #1 Are you a registered lobbyist? ☐
Complete Address Cooper
E-mail Address _____ Phone Number _____
Comments: _____

FIVE-MINUTE SPEAKING LIMIT

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on ELECTIONS Bill Number HB2456
Date FEB 1, 2016 ☐ Support ☒ Oppose ☐ Neutral
Name ALEXANDER MELUSKEY Need to Speak? ☒ Yes ☐ No
Representing LD23 CITIZEN Are you a registered lobbyist? N
Complete Address 26100 N. 82nd. Street
E-mail Address alex@meluskey.com Phone Number 604-575-8751
Comments: _____

FIVE-MINUTE SPEAKING LIMIT



HOUSE OF REPRESENTATIVES

HCR 2020

lieutenant governor; joint ticket

Prime Sponsor: Representative Mesnard, LD 17

X Committee on Elections

Caucus and COW

House Engrossed

OVERVIEW

HCR 2020 establishes, upon voter approval, the office of Lieutenant Governor beginning in 2023, and modifies the Executive Department's line of succession.

PROVISIONS

Election of the Lieutenant Governor

1. Requires each nominee for the office of Governor to name a Lieutenant Governor nominee at least 60 days before the general election.
2. Stipulates the Lieutenant Governor nominee will run on a ticket as a joint candidate with their name appearing with or below the name of the joint nominee for Governor.
3. Asserts that a single vote for a nominee for Governor at the general election constitutes a vote for that nominee's ticket.
4. Declares the Lieutenant Governor nominated by the candidate winning Governor at the general election as the winning candidate for Lieutenant Governor.

Succession of Office

5. Alters the line of succession for the executive department by:
 - a. adding the Lieutenant Governor directly after the Governor; and
 - b. placing the Attorney General ahead of the State Treasurer.
6. Designates the Lieutenant Governor to immediately succeed the office of Governor instead of the Secretary of State (SOS) until a successor is elected and qualified.
7. Designates the SOS to succeed to the office of Governor if a vacancy occurs with or during a vacancy in the office of Lieutenant Governor.
8. Directs the Governor to appoint a person to serve as Lieutenant Governor for a vacancy in the office of Lieutenant Governor upon approval by a majority vote of each house of the Legislature.
9. Makes technical and conforming changes.

CURRENT LAW

The Executive Department consists of the Governor, SOS, State Treasurer, Attorney General and Superintendent of Public Instruction (Arizona Constitution Article V Section 1). In the event of

the death, resignation, removal from office, or permanent disability to discharge the duties of the office of the Governor, the SOS, if holding by election, succeeds to the office of Governor until the successor is elected and qualifies (Arizona Constitution Article V Section 6).

In 2010, Proposition 111 was referred to the ballot to rename the SOS as the Lieutenant Governor. Additionally it would have required the governor to run separately from the Lieutenant Governor for the primary election and then as a team of candidates for the same political party in the general election (S.C.R 1013). Proposition 111 was not passed by the voters.

ARIZONA HOUSE OF REPRESENTATIVES
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ROLL CALL VOTE

COMMITTEE ON _____ ELECTIONS _____ BILL NO. HCR 2020

DATE February 1, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mrs. Carter		✓			
Mr. Clark			✓		
Mr. Larkin		✓			
Mr. Weninger		✓			
Mr. Mesnard, Vice-Chairman		✓			
Ms. Ugenti-Rita, Chairman			✓		
		4	2	0	0

APPROVED: _____

MICHELLE B. UGENTI-RITA, Chairman
JAVAN D. MESNARD, Vice-Chairman

Marshall Pimental
COMMITTEE SECRETARY

ATTACHMENT 4



HOUSE OF REPRESENTATIVES

HCR 2009

independent redistricting commission; elected membership

Prime Sponsor: Representative Petersen, LD 12

X Committee on Elections

Caucus and COW

House Engrossed

OVERVIEW

HCR 2009, upon voter approval, requires the members of the Independent Redistricting Commission (IRC) to be elected.

PROVISIONS

1. Requires the IRC to:
 - a. be elected at the regular general election held in each year that ends in a zero in the same manner as provided by law for other statewide offices;
 - b. meet the same eligibility requirements as prescribed for the office of the Governor; and
 - c. serve a term of 10 years.
2. Stipulates that vacancies must be filled as otherwise provided by law.
3. Requires the Secretary of State to submit this proposition to the voters at the next general election.
4. Makes technical and conforming changes.

CURRENT LAW

In November 2000, Arizona voters passed Proposition 106 transferring the responsibility to draw congressional and state legislative districts from the Legislature to the IRC based on the 10-year census. The IRC is established by February 28 of each year that ends in one to provide for the redistricting of congressional and state legislative districts. The IRC consists of five members, no more than two of whom are members of the same political party, and of the four appointed, no more than two of whom are from the same county. The Commission on Appellate Court Appointments nominates candidates and of these nominees, four members are selected by the House of Representatives and Senate majority and minority leadership. These four members then select the final member, who cannot be affiliated with either of the two major political parties. During the term of office and three years thereafter, a member is ineligible for public office or for registration as a paid lobbyist (Arizona Constitution, Article IV, Part 2, § 1).

Eligibility requirements for office of the Governor include: 1) at least 25 years of age; 2) a U.S. resident for 10 years preceding election; and 3) an Arizona citizen for five years preceding election (Arizona Constitution, Article V, § 2).

ARIZONA HOUSE OF REPRESENTATIVES
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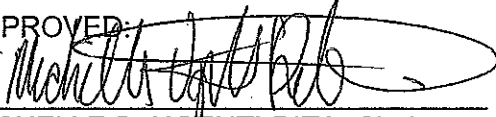
ROLL CALL VOTE

COMMITTEE ON _____ ELECTIONS _____ BILL NO. HCR 2009

DATE January 25, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mrs. Carter		✓			
Mr. Clark	✓		✓		
Mr. Larkin	✓		✓		
Mr. Weninger		✓			
Mr. Mesnard, Vice-Chairman		✓			
Ms. Ugenti-Rita, Chairman		✓			
		4	2	0	0

APPROVED:


MICHELLE B. UGENTI-RITA, Chairman
JAVAN D. MESNARD, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 6



HOUSE OF REPRESENTATIVES

HB 2083

multiple committees; exploratory committees; repeal
Prime Sponsor: Representative Stevens, LD 14

X Committee on Elections

Caucus and COW

House Engrossed

OVERVIEW

HB 2083 permits candidates to have an unlimited number of candidate's campaign committees for each election cycle and contains a Proposition 105 Clause.

PROVISIONS

1. Allows candidates to have any number of candidate's campaign committees for each election cycle.
2. Repeals exploratory committees.
3. Contains a Proposition 105 clause.
4. Makes technical and conforming changes.

CURRENT LAW

Each candidate who intends to receive contributions or make expenditures of more than \$500 in connection with a campaign for office must designate a political committee for each election cycle to serve as the candidate's campaign committee and file a statement of organization. A candidate who intends to receive contributions or make expenditures of \$500 or less is required to file a signed exemption statement before making any expenditures, accepting contributions, distributing campaign literature or circulating petitions. Once the \$500 limit has been exceeded, the candidate has five business days to file a statement of organization.

A candidate may establish an exploratory committee. An individual may have only one exploratory committee in existence at one time (A.R.S. § 16-903). An exploratory committee may transfer monies to a subsequent candidate's campaign committee of the individual designating the exploratory committee, subject to the contribution limitations prescribed for the office sought (A.R.S. § 16-905). *Exploratory committee* is defined as a political committee that is formed for the purpose of determining whether an individual will become a candidate and that receives contributions or makes expenditures of more than \$500 in connection with that purpose (A.R.S. § 16-901).

ARIZONA HOUSE OF REPRESENTATIVES
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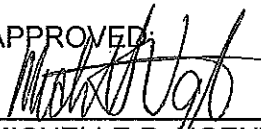
ROLL CALL VOTE

COMMITTEE ON _____ ELECTIONS _____ BILL NO. HB 2083

DATE February 1, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mrs. Carter		✓			
Mr. Clark		✓			
Mr. Larkin		✓			
Mr. Weninger		✓			
Mr. Mesnard, Vice-Chairman		✓			
Ms. Ugenti-Rita, Chairman		✓			
		6	0	0	0

APPROVED:


MICHELLE B. UGENTI-RITA, Chairman
JAVAN D. MESNARD, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 8



HOUSE OF REPRESENTATIVES

HB 2050

federal office; online signature collection

Prime Sponsor: Representative Stevens, LD 14

X Committee on Elections

Caucus and COW

House Engrossed

OVERVIEW

HB 2049 stipulates that the Secretary of State (SOS) must provide a system for online nomination petition signatures beginning January 1, 2017.

PROVISIONS

1. Requires the SOS to provide a system through a secure internet portal for qualified electors to sign a nomination petition for candidates for the office of the U.S. Senator or Representative in Congress.
2. Requires the system to:
 - a. allow only eligible qualified electors to sign the petition;
 - b. provide a method to verify the electors identity; and
 - c. provide for the SOS to transmit those filings to the officer in charge of elections for the appropriate office.
3. Allows candidates to collect up to the full number of required petition signatures online.
4. Becomes effective January 1, 2017.

CURRENT LAW

Nomination petition is defined as the form or forms used for obtaining the required number of signatures of qualified electors, circulated by or on behalf of the person wishing to become a candidate for a political office (A.R.S. § 16-314). The SOS is required to provide a system for qualified electors to sign a nomination petition for statewide and legislative candidates by way of a secure internet portal. The system must: 1) allow only those qualified electors who are eligible to sign the nomination petition; and 2) provide a method for the qualified elector's identity to be properly verified. Statewide and legislative candidates may choose to collect up to an amount equal to ½ of the number of required signatures by use of the online signature collection system (A.R.S. § 16-316). Each signer can sign only one nomination petition for the same office unless more than one candidate is to be elected to such office (A.R.S. § 16-321).

ARIZONA HOUSE OF REPRESENTATIVES
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ROLL CALL VOTE

COMMITTEE ON _____ ELECTIONS _____ BILL NO. HB 2050

DATE February 1, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mrs. Carter		✓			
Mr. Clark		✓			
Mr. Larkin		✓			
Mr. Weninger		✓			
Mr. Mesnard, Vice-Chairman		✓			
Ms. Ugenti-Rita, Chairman		✓			
		6	0	0	0

APPROVED



MICHELLE B. UGENTI-RITA, Chairman
JAVAN D. MESNARD, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT 10



HOUSE OF REPRESENTATIVES

HB 2456

national popular vote; interstate agreement

Prime Sponsor: Representative Mesnard, LD 17

X Committee on Elections

Caucus and COW

House Engrossed

OVERVIEW

HB 2456 joins an interstate agreement to elect the President by national popular vote.

PROVISIONS

1. Enters Arizona into an agreement among the states, with all other jurisdictions legally joining, to elect the President by national popular vote.
2. Requires each member state to conduct a statewide popular election for President and Vice President of the U.S.
3. Allows any state and the District of Columbia to become a member through enacting this agreement.
4. Requires the chief election official of each member state to:
 - a. determine the number of votes for each presidential slate;
 - b. add the votes together to produce a "national popular vote total" for each presidential slate;
 - c. designate the presidential slate with the largest national popular vote as the "national popular vote winner";
 - d. treat an official statement containing the number of popular votes for each presidential slate as a final determination conclusive as to the counting of electoral votes by Congress; and
 - e. immediately release to the public all vote counts or statements of votes as they are determined or obtained.
5. Requires the presidential elector certifying official of each member state to:
 - a. certify the appointment of the elector slate nominated in association with the national popular vote winner;
 - b. certify, in the event of a tie for the national popular vote winner, the appointment of the elector slate nomination with the presidential slate receiving the largest number of popular votes.
6. Declares that the presidential candidate designated as the national popular vote winner has the power to nominate the presidential electors for that state if the number of presidential electors nominated is less than or greater than that state's number of electoral votes.
 - a. requires certification of the nominees appointment by the state's presidential elector certifying official.

HB 2456

7. Requires each member state to:
 - a. make a final determination of the number of popular votes cast for each presidential slate; and
 - b. communicate an official statement of determination within 24 hours to the chief official of other member states.
8. Stipulates that this article governs the appointment of presidential electors in any year this agreement is, on July 20, in effect in states cumulatively possessing a majority of the electoral votes.
9. Provides that the agreement takes effect when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments have taken effect in each state.
10. Allows the withdrawal of member states from the agreement, except that a withdrawal occurring six months or less before the end of a President's term does not become effective until a President and Vice President has qualified to serve the next term.
11. Requires the member's state chief executive to promptly notify all other states when:
 - a. this agreement has been enacted and taken effect;
 - b. the member state has withdrawn from this agreement; and
 - c. this agreement takes effect generally.
12. Terminates this agreement if the Electoral College is abolished.
13. Declares that if any provision of this agreement is held invalid, the remaining provisions are not affected.
14. Defines *chief election official*, *chief executive*, *elector slate*, *presidential elector*, *presidential elector certifying official*, *presidential slate*, *state* and *statewide popular election*.

CURRENT LAW

Each state is required to appoint, in such manner as the Legislature directs, a number of electors, equal to the whole number of Senators and Representatives to which the state may be entitled in the Congress (U.S. Constitution, Article II, Section I, Clause II).

The chairman of the state committee of a political party which is qualified for representation on an official party ballot at the primary election and accorded a column on the general election ballot is required to: 1) appoint candidates for the office of presidential elector equal to the number of U.S. Senators and Representatives in Congress for Arizona; 2) and file, for each candidate, a nomination paper and affidavit with the Secretary of State (A.R.S. § 16-344).

ADDITIONAL INFORMATION

Arizona has 11 electoral votes.

HB 2456

Introduced by

Representatives Mesnard, Allen J, Andrade, Benally, Borrelli, Boyer, Clark, Cobb, Coleman, Espinoza, Fann, Hale, Leach, Livingston, Mach, Meyer, Montenegro, Otondo, Rios, Stevens, Senators Bradley, Dial, Farley, Hobbs; Representatives Alston, Campbell, Fernandez, Finchem, Friese, Gabaldón, Gonzales, Gowan, Gray, Kern, Larkin, Lawrence, Mendez, Petersen, Pratt, Rivero, Shope, Thorpe, Townsend, Velasquez, Weninger

AN ACT

amending title 16, Arizona Revised Statutes, by adding chapter 9; relating to the agreement among the states to elect the president by national popular vote.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 16, Arizona Revised Statutes, is amended by adding chapter 9, to read:

CHAPTER 9

AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE

ARTICLE 1. ADOPTION

16-1201. Adoption and text of compact

Article III—Manner of appointing presidential electors in member states

A. Prior to the time set by law for the meeting and voting by the presidential electors, the chief election official of each member state shall determine the number of votes for each presidential slate in each state of the United States and in the District of Columbia in which votes have been cast in a statewide popular election and shall add such votes together to produce a "national popular vote total" for each presidential slate.

B. The chief election official of each member state shall designate the presidential slate with the largest national popular vote total as the "national popular vote winner".

C. The presidential elector certifying official of each member state shall certify the appointment in that official's own state of the elector slate nominated in that state in association with the national popular vote winner.

D. At least six days before the day fixed by law for the meeting and voting by the presidential electors, each member state shall make a final determination of the number of popular votes cast in the state for each presidential slate and shall communicate an official statement of such determination within 24 hours to the chief election official of each other member state.

E. The chief election official of each member state shall treat as conclusive an official statement containing the number of popular votes in a state for each presidential slate made by the day established by federal law for making a state's final determination conclusive as to the counting of electoral votes by Congress.

F. In event of a tie for the national popular vote winner, the presidential elector certifying official of each member state shall certify the appointment of the elector slate nominated in association with the presidential slate receiving the largest number of popular votes within that official's own state.

G. If, for any reason, the number of presidential electors nominated in a member state in association with the national popular vote winner is less than or greater than that state's number of electoral votes, the presidential candidate on the presidential slate that has been designated as the national popular vote winner shall have the power to nominate the presidential electors for that state and that state's presidential elector certifying official shall certify the appointment of such nominees.

When ANY Bill is under consideration that would overturn the will of the voters of Arizona through ANY means, that Bill should be summarily defeated by ALL members of the Legislature. This is not a partisan issue, it is a Constitutional Principle position. I respectfully ask every of this committee to represent your voters and vote NO!

The shortcomings of the current system of electing the President stem from *state* winner-take-all statutes (i.e., state laws that award all of a state's electoral votes to the candidate receiving the most popular votes in each *separate* state).

The U.S. Constitution (Article II, Section 1) gives the states exclusive control over awarding their electoral votes: "Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors...." The winner-take-all rule was used by only three states in 1789.

The bill ensures that *every* vote, in *every* state, will matter in *every* presidential election. The National Popular Vote bill preserves the Electoral College and state control of elections.

Bayh (D-IN), and David Durenberger (R-MIN); former Congressmen John Anderson (R-IL, I), John Buchanan (R-AL), Tom Campbell (R-CA), and Tom Downey (D-NY). Other supporters

Electing the President by National Popular Vote and at www.NationalPopularVote.com.

**The Only States That Received Any Attention in the 2012 General-Election Campaign
For President Were States Within 3% of the National Outcome**

The states are listed below in order of Romney's 2012 percentage—with the most Republican (red) states at the top.

The second column shows the total number of general-election campaign events for each state (out of a nationwide total of 253). As can be seen, the only states that received any campaign events and any significant ad money (third column) were the 12 states (shown in black in the middle of the table) where the outcome was between 45% and 51% Republican—that is, within 3 percentage points of Romney's nationwide percentage of 48%.

The fourth column shows donations from each state.

Romney Percent	Campaign events	TV ad spending	Donations	State	Romney (R)	Obama (D)	R-Margin	D-Margin	R-EV	D-EV
75%	0	\$0	\$11,230,092	Utah	740,600	251,813	488,787		6	
71%	0	\$0	\$2,225,204	Wyoming	170,962	69,286	101,676		3	
67%	0	\$1,300	\$7,129,393	Oklahoma	891,325	443,547	447,778		7	
66%	0	\$290	\$3,586,883	Idaho	420,911	212,787	208,124		4	
64%	0	\$100	\$1,985,666	West Virginia	417,584	238,230	179,354		5	
62%	0	\$0	\$3,296,533	Arkansas	647,744	394,409	253,335		6	
62%	0	\$400	\$6,079,673	Kentucky	1,087,190	679,370	407,820		8	
61%	0	\$80	\$6,736,196	Alabama	1,255,925	795,696	460,229		9	
61%	0	\$0	\$4,796,947	Kansas	692,634	440,726	251,908		6	
61%	0	\$0	\$3,128,691	Nebraska	475,064	302,081	172,983		5	
60%	0	\$346,490	\$844,129	North Dakota	188,320	124,966	63,354		3	
60%	0	\$1,440	\$11,967,542	Tennessee	1,462,330	960,709	501,621		11	
59%	0	\$3,990	\$7,510,687	Louisiana	1,152,262	809,141	343,121		8	
59%	0	\$1,810	\$1,267,192	South Dakota	210,610	145,039	65,571		3	
58%	0	\$2,570	\$64,044,620	Texas	4,569,843	3,308,124	1,261,719		38	
57%	0	\$0	\$2,153,869	Alaska	164,676	122,640	42,036		3	
57%	0	\$0	\$2,295,005	Montana	267,928	201,839	66,089		3	
56%	0	\$0	\$3,525,145	Mississippi	710,746	562,949	147,797		6	
55%	0	\$40,350	\$14,631,204	Arizona	1,233,654	1,025,232	208,422		11	
55%	0	\$300	\$8,210,564	Indiana	1,420,543	1,152,887	267,656		11	
55%	0	\$127,560	\$11,512,255	Missouri	1,482,440	1,223,796	258,644		10	
55%	0	\$710	\$6,686,788	SC	1,071,645	865,941	205,704		9	
54%	0	\$6,020	\$21,906,923	Georgia	2,078,688	1,773,827	304,861		16	
51%	3	\$80,000,000	\$18,658,894	NC	2,270,395	2,178,391	92,004		15	
50%	40	\$175,776,780	\$56,863,167	Florida	4,162,341	4,235,965		73,624		29
48%	73	\$148,000,000	\$20,654,423	Ohio	2,661,407	2,827,621		166,214		18
48%	36	\$127,000,000	\$32,428,002	Virginia	1,822,522	1,971,820		149,298		13
47%	23	\$71,000,000	\$20,695,557	Colorado	1,185,050	1,322,998		137,948		9
47%	27	\$52,194,330	\$4,780,400	Iowa	730,617	822,544		91,927		6
47%	13	\$55,000,000	\$6,717,552	Nevada	463,567	531,373		67,806		6
47%	13	\$34,000,000	\$4,389,577	NH	329,918	369,561		39,643		4
47%	5	\$31,000,000	\$27,661,702	Pennsylvania	2,680,434	2,990,274		309,840		20
47%	18	\$40,000,000	\$10,011,235	Wisconsin	1,410,966	1,620,985		210,019		10
46%	1	\$0	\$11,112,922	Minnesota	1,320,225	1,546,167		225,942		10
45%	1	\$15,186,750	\$19,917,206	Michigan	2,115,256	2,564,569		449,313		16
45%	0	\$1,162,000	\$5,770,738	New Mexico	335,788	415,335		79,547		5
44%	0	\$460	\$10,463,528	Oregon	754,175	970,488		216,313		7
42%	0	\$195,610	\$3,452,126	Maine	292,276	401,306		109,030		4
42%	0	\$0	\$23,600,404	Washington	1,290,670	1,755,396		464,726		12
41%	0	\$330	\$18,644,901	Connecticut	634,892	905,083		270,191		7
41%	0	\$0	\$2,141,203	Delaware	165,484	242,584		77,100		3
41%	0	\$270	\$107,928,359	Illinois	2,135,216	3,019,512		884,296		20
41%	0	\$0	\$24,062,220	New Jersey	1,478,088	2,122,786		644,698		14
38%	0	\$320	\$137,804,736	California	4,839,958	7,854,285		3,014,327		55
38%	0	\$0	\$35,927,766	Massachusetts	1,188,314	1,921,290		732,976		11
37%	0	\$1,120	\$25,579,933	Maryland	971,869	1,677,844		705,975		10
36%	0	\$55,600	\$76,743,682	New York	2,485,432	4,471,871		1,986,439		29
36%	0	\$0	\$2,226,963	Rhode Island	157,204	279,677		122,473		4
32%	0	\$0	\$2,732,572	Vermont	92,698	199,239		106,541		3
28%	0	\$0	\$3,217,863	Hawaii	121,015	306,658		185,643		4
7%	0	\$0	\$16,670,938	DC	21,381	267,070		245,689		3
48.0%	253	\$831,106,980	\$937,609,770	Total	60,930,782	65,897,727			206	332

<http://www.fairvote.org/research-and-analysis/presidential-elections/2012chart>

July 10, 2015

Questions for your consideration, which once answered will lead to a withdrawal of HB 2456.

Has a request been made to the AG's office for an opinion on the constitutionality of this matter?
Was there a thorough discussion as to the effect of entering this compact, most especially that (if successful i.e. hitting the 270 electoral votes) it would negate the intended purpose of the Electoral College i.e. protecting the smaller states like our own? And if so, please explain how that would be accomplished in a pure democracy?

Was consideration given to the U. S. Supreme Courts decision which determined that the domestic compact clause applies only to a narrow class of state agreements; including those establishing binding obligations for multistate administrative agencies relating to regional or local issues only?

Was there a discussion of possible ramifications of AZ becoming the first red state to join this movement by the republican caucus?

Please site the authority which gives this body the power to contribute this states' electoral votes to such a compact?

How does AZ's entry into this compact protect the distinct and unique interests of the citizens of AZ?

How fully were the backgrounds of the major sponsors and funding sources of the NPV Movement disclosed and discussed? Were questions raised when you learned of them?

Was examination of the changes in state election laws in CA & NY made and how they will affect AZ as to this proposed compact?

Was anyone made aware that the RNC voted 167 to 1 against the NPV idea only four years ago?

Has a review and discussion of all available opposing points of view on this NPV matter by nationally prominent think tanks like Heritage, CATO Institute, John Birch Society, League of Women Voters, etc?

JIM O'CONNOR
LD 23 CHAIRMAN
VOLUNTEER

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ ELECTIONS _____ BILL NO. HB 2456

DATE February 1, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mrs. Carter		✓			
Mr. Clark		✓			
Mr. Larkin		✓			
Mr. Weninger		✓			
Mr. Mesnard, Vice-Chairman		✓			
Ms. Ugenti-Rita, Chairman			✓		
		5	1	0	0

APPROVED


MICHELLE B. UGENTI-RITA, Chairman
JAVAN D. MESNARD, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 15

ARIZONA STATE LEGISLATURE
 Fifty-second Legislature - Second Regular Session
COMMITTEE ATTENDANCE RECORD

COMMITTEE ON ELECTIONS

CHAIRMAN: Michelle B. Ugenti-Rita VICE-CHAIRMAN: Javan D. Mesnard

DATE	2/1/16	/16	/16	/16	/16
CONVENED	10:07am	m	m	m	m
RECESSED					
RECONVENED					
ADJOURNED	12:29pm				
MEMBERS					
Mrs. Carter	✓				
Mr. Clark	✓				
Mr. Larkin	✓				
Mr. Weninger	✓				
Mr. Mesnard, Vice-Chairman	✓				
Ms. Ugenti-Rita, Chairman	✓				

√ Present --- Absent exc Excused